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Identical letters dated 25 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 24 December 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 1 to 15 December 2001 they carried out 99 hostile sorties, 10 of them from Saudi Arabia, 51 from Kuwait and 38 from Turkey, as shown in the statement enclosed with his letter.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that full international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He further states that Iraq reserves its right, as established by the Charter of the United Nations and international law, to defend itself against this ongoing hostile, terrorist activity. He urges you to perform the duties assigned to you under the Charter by ensuring that this persistent aggression is halted and does not recur and that its perpetrators and the regional parties that associate themselves with it are made to bear full legal responsibility for it.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Abdul Munim **Al-Kadhe**
Chargé d'affaires a.i.

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Annex to the identical letters dated 25 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States of America and the United Kingdom have continued their aerial aggression against the Republic of Iraq and that the Kingdom of Saudi Arabia, the State of Kuwait and the Republic of Turkey have also continued to provide logistic facilities for this aggression. United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have thus continued to violate the airspace of the Republic of Iraq. They flew 99 armed sorties in the period from 1 to 15 December 2001, 10 of them from Saudi Arabia, 51 from Kuwait and 38 from Turkey, as shown in the statement enclosed herewith.

The enforcement by the United States and the United Kingdom of the no-flight zones in northern and southern Iraq is an internationally unlawful act and a flagrant violation of the Charter of the United Nations and the established norms of international law. It constitutes an illegal use of armed force against the sovereignty, independence and territorial integrity of Iraq, and it is to be regarded as an ongoing act of aggression such as accords with the Definition of Aggression approved by the United Nations General Assembly in its resolution 3314 (XXIX) of 14 December 1974. Most of the world's countries have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. The United Nations, as represented by the Secretary-General, has also affirmed that the claim that the Security Council resolutions concerning Iraq authorize the imposition of the no-flight zones is groundless.

The attacks being launched by United States and British aircraft on Iraqi towns and villages and on structures that are basic to life in the country, including health-care and educational establishments and houses of worship, constitute blatant State terrorism that has now been practised for more than 10 years and has caused the deaths of thousands of Iraqi citizens, has left tens of thousands injured and has brought about the destruction of vital amenities and infrastructure. That the United Nations, the Security Council and you yourself should remain mere spectators in the presence of this aggression and this blatant State terrorism against Iraq raises serious questions about the credibility of the United Nations and about its capacity to apply the norms of the Charter to all without distinction and without the use of double standards.

The Government of Iraq considers that the Governments of the United States and the United Kingdom and the countries that provide the facilities for this terrorist aggression, namely Kuwait, Saudi Arabia and Turkey, should bear full responsibility for their illegal actions. It affirms Iraq's established entitlement under the Charter of the United Nations and international law to exercise its legitimate right to defend itself against this ongoing hostile, terrorist activity. It further expresses the hope that you will perform the duties assigned to you as they relate to the maintenance of international peace and security, that you will call upon the Governments of the

countries in question to halt their continuing aggression against Iraq forthwith and that you will ensure that those committing the aggression and the regional parties collaborating in that aggression, namely Kuwait, Saudi Arabia and Turkey, are made to bear full legal responsibility for it.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

Enclosure

Violations of the airspace of the Republic of Iraq by United States and British warplanes, 1-15 December 2001

1. In the northern region 38 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1100 hours on 6 December 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 14 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Amadiyah, Baibo, Aqrah and Rawanduz areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1205 hours, drove them off.

(b) At 1330 hours on 10 December 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 10 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Amadiyah, Dohuk, Aqrah, Irbil and Rawanduz areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1520 hours, drove them off.

(c) At 1135 hours on 12 December 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 14 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Amadiyah, Aqrah and Dohuk areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1435 hours, drove them off.

2. In the southern region 61 armed sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1050 hours on 3 December 2001, United States and British F-14 and F-15 aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out four armed sorties, two of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and two from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah and Ansab areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1200 hours, drove them off.

(b) At 0805 hours on 6 December 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Saudi and Kuwaiti airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 20 armed sorties, two of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 18 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah,

Jalibah, Busayyah, Salman and Artawi areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 0930 hours, drove them off.

(c) At 1145 hours on 11 December 2001, United States and British F-14, F-15 and F-16 aircraft coming from bases in Saudi Arabia and Kuwait and from Saudi and Kuwaiti airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 16 armed sorties from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Safwan, Salman, Jalibah and Ashbajah areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1310 hours, drove them off.

(d) At 1200 hours on 12 December 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 14 armed sorties, four of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 10 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Busayyah, Ashbajah and Artawi areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1300 hours, drove them off.

(e) At 1140 hours on 14 December 2001, United States and British F-14 and F-15 aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out six armed sorties, two of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Salman and Artawi areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1245 hours, drove them off.